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11.9.00

Patent

Attorney Docket No. 11034JS03 / 100-248.C1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

Better and Carroll

Serial No.: Not yet assigned

Filed: herewith

For: FUSION PROTEINS AND  
POLYNUCLEOTIDES ENCODING  
GELONIN SEQUENCES

Examiner: Not yet assigned

Group Art Unit: Not yet assigned

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this document is being deposited with the United States Postal Service on July 6, 2000 in an envelope addressed to BOX PATENT APPLICATION, Assistant Commissioner for Patents, Washington, D.C. 20231 utilizing the "Express Mail Post Office to Addressee" service of the United States Postal Service under Mailing Label No. EL567394949US.

*Janet M. McNicholas*

Janet M. McNicholas, Ph.D.

Registration No. 32,918

REQUEST TO USE COMPUTER READABLE  
SEQUENCE LISTING DISKETTE  
FORM FROM ANOTHER APPLICATION

BOX PATENT APPLICATION  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Applicants request entry of the identical computer readable form from a related application. Specifically, the computer-readable form of the Sequence Listing in the above-identified application is identical to the Sequence Listing in Application Serial No. 09/136,389, filed August 18, 1998. In accordance with 37 C.F.R. §1.821(e), please use the computer-readable form of the Sequence Listing filed in that application as the computer-readable form in the instant application. It is understood that the Patent and Trademark Office will make the necessary change in application number and filing date for the computer-readable form of the

6,146,850

09/136,389-020600  
09/136,389-020600  
09/136,389-020600

09/610837

AU1648

C1435

09/610,838

7-6-00

R-60

- ☐ The specification filed herewith.
- ☒ Application Serial No. 09/610,838, filed July 6, 2000.
- ☐ Patent No. \_\_\_\_\_, issued \_\_\_\_\_.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor(s), who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

*\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27).*

NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Janet M. McNicholas

TITLE OF PERSON OTHER THAN OWNER: Assistant Secretary

ADDRESS OF PERSON SIGNING: XOMA Corporation  
2910 Seventh Street  
Berkeley, CA 94710

SIGNATURE: Janet M. McNicholas

Date: October 8, 2000

005020" 82807960

Sequence Listing that will be used in the instant application. A paper copy of the sequence listing is included in the originally-filed specification of the instant application.

Respectfully submitted,

DATED: July 6, 2000

Janet M. McNicholas

Janet M. McNicholas, Ph.D.

Reg. No. 32,918

McAndrews, Held & Malloy, Ltd.  
500 West Madison Street, Suite 3400  
Chicago, Illinois 60661  
(312) 775-8000

RAW SEQUENCE LISTING  
PATENT APPLICATION US/09/610,838DATE: 11/03/2000  
TIME: 22:56:55

INPUT SET: S36067.raw

This Raw Listing contains the General  
Information Section and up to the first 5 pages.

## SEQUENCE LISTING

## (1) General Information:

(i) APPLICANT: Better, Marc D.  
Carroll, Stephen F.  
Studnika, Gary M.

ENTERED

(ii) TITLE OF INVENTION: Immunotoxins Comprising Ribosome-Inactivating  
Proteins

(iii) NUMBER OF SEQUENCES: 173

## (iv) CORRESPONDENCE ADDRESS:

(A) ADDRESSEE: McAndrews, Held & Malloy, Ltd.  
(B) STREET: 500 West Madison Street, 34th floor  
(C) CITY: Chicago  
(D) STATE: Illinois  
(E) COUNTRY: USA  
(F) ZIP: 60661

## (v) COMPUTER READABLE FORM:

(A) MEDIUM TYPE: Floppy disk  
(B) COMPUTER: IBM PC compatible  
(C) OPERATING SYSTEM: PC-DOS/MS-DOS  
(D) SOFTWARE: PatentIn Release #1.0, Version #1.25

## (vi) CURRENT APPLICATION DATA:

(A) APPLICATION NUMBER: US 09/610,838  
(B) FILING DATE: 06-JUL-2000  
(C) CLASSIFICATION:

## (vii) PRIOR APPLICATION DATA:

(A) APPLICATION NUMBER: US/09/136,389  
(B) FILING DATE: 18-AUG-1998

(A) APPLICATION NUMBER: 08/646,360  
(B) FILING DATE: 13-MAY-1996

(A) APPLICATION NUMBER: PCT/US94/05348  
(B) FILING DATE: 12-MAY-1994

## (vii) PRIOR APPLICATION DATA:

(A) APPLICATION NUMBER: US 08/064,691  
(B) FILING DATE: 12-MAY-1993

RAW SEQUENCE LISTING  
PATENT APPLICATION US/09/610,838DATE: 11/03/2000  
TIME: 22:56:55

INPUT SET: S36067.raw

47 (vii) PRIOR APPLICATION DATA:  
48 (A) APPLICATION NUMBER: US 07/988,430  
49 (B) FILING DATE: 09-DEC-1992  
50  
51 (vii) PRIOR APPLICATION DATA:  
52 (A) APPLICATION NUMBER: US 07/901,707  
53 (B) FILING DATE: 19-JUN-1992  
54  
55 (vii) PRIOR APPLICATION DATA:  
56 (A) APPLICATION NUMBER: US 07/787,567  
57 (B) FILING DATE: 04-NOV-1991  
58  
59 (viii) ATTORNEY/AGENT INFORMATION:  
60 (A) NAME: McNicholas, Janet M.  
61 (B) REGISTRATION NUMBER: 32,918  
62 (C) REFERENCE/DOCKET NUMBER: 200-70.P4  
63  
64 (ix) TELECOMMUNICATION INFORMATION:  
65 (A) TELEPHONE: 312/707-8889  
66 (B) TELEFAX: 312/707-9155  
67 (C) TELEX: 650 388-1248  
68  
69 (2) INFORMATION FOR SEQ ID NO:1:  
70  
71 (i) SEQUENCE CHARACTERISTICS:  
72 (A) LENGTH: 267 amino acids  
73 (B) TYPE: amino acid  
74 (D) TOPOLOGY: linear  
75  
76 (ii) MOLECULE TYPE: protein  
77  
78 (xi) SEQUENCE DESCRIPTION: SEQ ID NO:1:  
79  
80 Ile Phe Pro Lys Gln Tyr Pro Ile Ile Asn Phe Thr Thr Ala Gly Ala  
81 1 5 10 15  
82  
83 Thr Val Gln Ser Tyr Thr Asn Phe Ile Arg Ala Val Arg Gly Arg Leu  
84 20 25 30  
85  
86 Thr Thr Gly Ala Asp Val Arg His Glu Ile Pro Val Leu Pro Asn Arg  
87 35 40 45  
88  
89 Val Gly Leu Pro Ile Asn Gln Arg Phe Ile Leu Val Glu Leu Ser Asn  
90 50 55 60  
91  
92 His Ala Glu Leu Ser Val Thr Leu Ala Leu Asp Val Thr Asn Ala Tyr  
93 65 70 75 80  
94  
95  
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97  
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99

# RAW SEQUENCE LISTING PATENT APPLICATION US/09/610,838

DATE: 11/03/2000  
TIME: 22:56:56

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100	Val	Val	Gly	Tyr	Arg	Ala	Gly	Asn	Ser	Ala	Tyr	Phe	Phe	His	Pro	Asp
101					85					90					95	
102																
103																
104	Asn	Gln	Glu	Asp	Ala	Glu	Ala	Ile	Thr	His	Leu	Phe	Thr	Asp	Val	Gln
105				100					105					110		
106																
107																
108	Asn	Arg	Tyr	Thr	Phe	Ala	Phe	Gly	Gly	Asn	Tyr	Asp	Arg	Leu	Glu	Gln
109				115				120					125			
110																
111																
112	Leu	Ala	Gly	Asn	Leu	Arg	Glu	Asn	Ile	Glu	Leu	Gly	Asn	Gly	Pro	Leu
113		130					135					140				
114																
115																
116	Glu	Glu	Ala	Ile	Ser	Ala	Leu	Tyr	Tyr	Tyr	Ser	Thr	Gly	Gly	Thr	Gln
117	145					150					155					160
118																
119																
120	Leu	Pro	Thr	Leu	Ala	Arg	Ser	Phe	Ile	Ile	Cys	Ile	Gln	Met	Ile	Ser
121					165					170					175	
122																
123																
124	Glu	Ala	Ala	Arg	Phe	Gln	Tyr	Ile	Glu	Gly	Glu	Met	Arg	Thr	Arg	Ile
125				180					185					190		
126																
127																
128	Arg	Tyr	Asn	Arg	Arg	Ser	Ala	Pro	Asp	Pro	Ser	Val	Ile	Thr	Leu	Glu
129			195					200					205			
130																
131																
132	Asn	Ser	Trp	Gly	Arg	Leu	Ser	Thr	Ala	Ile	Gln	Glu	Ser	Asn	Gln	Gly
133		210					215					220				
134																
135																
136	Ala	Phe	Ala	Ser	Pro	Ile	Gln	Leu	Gln	Arg	Arg	Asn	Gly	Ser	Lys	Phe
137	225					230				235						240
138																
139																
140	Ser	Val	Tyr	Asp	Val	Ser	Ile	Leu	Ile	Pro	Ile	Ile	Ala	Leu	Met	Val
141					245					250					255	
142																
143																
144	Tyr	Arg	Cys	Ala	Pro	Pro	Pro	Ser	Ser	Gln	Phe					
145				260					265							
146																

(2) INFORMATION FOR SEQ ID NO:2:

(i) SEQUENCE CHARACTERISTICS:

- (A) LENGTH: 251 amino acids
- (B) TYPE: amino acid
- (D) TOPOLOGY: linear

RAW SEQUENCE LISTING  
PATENT APPLICATION US/09/610,838DATE: 11/03/2000  
TIME: 22:56:56

INPUT SET: S36067.raw

(ii) MOLECULE TYPE: protein

(xi) SEQUENCE DESCRIPTION: SEQ ID NO:2:

Gly	Leu	Asp	Thr	Val	Ser	Phe	Ser	Thr	Lys	Gly	Ala	Thr	Tyr	Ile	Thr
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Tyr	Val	Asn	Phe	Leu	Asn	Glu	Leu	Arg	Val	Lys	Leu	Lys	Pro	Glu	Gly
		20						25					30		
Asn	Ser	His	Gly	Ile	Pro	Leu	Leu	Arg	Lys	Lys	Cys	Asp	Asp	Pro	Gly
		35						40				45			
Lys	Cys	Phe	Val	Leu	Val	Ala	Leu	Ser	Asn	Asp	Asn	Gly	Gln	Leu	Ala
	50						55					60			
Glu	Ile	Ala	Ile	Asp	Val	Thr	Ser	Val	Tyr	Val	Val	Gly	Tyr	Gln	Val
65					70					75				80	
Arg	Asn	Arg	Ser	Tyr	Phe	Phe	Lys	Asp	Ala	Pro	Asp	Ala	Ala	Tyr	Glu
				85					90					95	
Gly	Leu	Phe	Lys	Asn	Thr	Ile	Lys	Thr	Arg	Leu	His	Phe	Gly	Gly	Ser
			100					105					110		
Tyr	Pro	Ser	Leu	Glu	Gly	Glu	Lys	Ala	Tyr	Arg	Glu	Thr	Thr	Asp	Leu
		115					120					125			
Gly	Ile	Glu	Pro	Leu	Arg	Ile	Gly	Ile	Lys	Lys	Leu	Asp	Glu	Asn	Ala
	130						135					140			
Ile	Asp	Asn	Tyr	Lys	Pro	Thr	Glu	Ile	Ala	Ser	Ser	Leu	Leu	Val	Val
145					150					155				160	
Ile	Gln	Met	Val	Ser	Glu	Ala	Ala	Arg	Phe	Thr	Phe	Ile	Glu	Asn	Gln
				165					170				175		
Ile	Arg	Asn	Asn	Phe	Gln	Gln	Arg	Ile	Arg	Pro	Ala	Asn	Asn	Thr	Ile
			180					185					190		

# RAW SEQUENCE LISTING PATENT APPLICATION US/09/610,838

DATE: 11/03/2000  
TIME: 22:56:56

INPUT SET: S36067.raw

206  
207 Ser Leu Glu Asn Lys Trp Gly Lys Leu Ser Phe Gln Ile Arg Thr Ser  
208 195 200 205  
209  
210  
211 Gly Ala Asn Gly Met Phe Ser Glu Ala Val Glu Leu Glu Arg Ala Asn  
212 210 215 220  
213  
214  
215 Gly Lys Lys Tyr Tyr Val Thr Ala Val Asp Gln Val Lys Pro Lys Ile  
216 225 230 235 240  
217  
218  
219 Ala Leu Leu Lys Phe Val Asp Lys Asp Pro Lys  
220 245 250  
221  
222 (2) INFORMATION FOR SEQ ID NO:3:  
223  
224 (i) SEQUENCE CHARACTERISTICS:  
225 (A) LENGTH: 280 amino acids  
226 (B) TYPE: amino acid  
227 (D) TOPOLOGY: linear  
228  
229 (ii) MOLECULE TYPE: protein  
230  
231 (xi) SEQUENCE DESCRIPTION: SEQ ID NO:3:  
232  
233 Ala Ala Lys Met Ala Lys Asn Val Asp Lys Pro Leu Phe Thr Ala Thr  
234 1 5 10 15  
235  
236  
237 Phe Asn Val Gln Ala Ser Ser Ala Asp Tyr Ala Thr Phe Ile Ala Gly  
238 20 25 30  
239  
240  
241 Ile Arg Asn Lys Leu Arg Asn Pro Ala His Phe Ser His Asn Arg Pro  
242 35 40 45  
243  
244  
245 Val Leu Pro Pro Val Glu Pro Asn Val Pro Pro Ser Arg Trp Phe His  
246 50 55 60  
247  
248  
249 Val Val Leu Lys Ala Ser Pro Thr Ser Ala Gly Leu Thr Leu Ala Ile  
250 65 70 75 80  
251  
252  
253 Arg Ala Asp Asn Ile Tyr Leu Glu Gly Phe Lys Ser Ser Asp Gly Thr  
254 85 90 95  
255  
256  
257 Trp Trp Glu Leu Thr Pro Gly Leu Ile Pro Gly Ala Thr Tyr Val Gly  
258 100 105 110



PAGE: 1

**SEQUENCE VERIFICATION REPORT**  
**PATENT APPLICATION US/09/610,838**

DATE: 11/03/2000  
TIME: 22:56:57

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